

ORIGINAL

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7 Attorneys for United States of America

8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN MARIANA ISLANDS**

10 UNITED STATES OF AMERICA, ) Criminal Case No. 08-00016  
11 )  
12 Plaintiff, )  
13 )  
14 v. )  
15 )  
16 LARRY BORJA HOCOG )  
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22 Defendant. )  
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**FILED**  
Clerk  
District Court

**JUN 20 2008**

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

**AFFIDAVIT IN SUPPORT OF  
GOVERNMENT'S MOTION  
TO CONTINUE TRIAL**

Hearing: June 23, 2008  
Time: 10:30 a.m.  
Judge: Hon. Alex R. Munson

I, Eric S. O'Malley, submit this affidavit in support of the government's Motion to Continue Jury Trial, which trial is now set to begin on June 30, 2008 at 9:00 a.m., and hereby swear as follows:

1. That I am an Assistant United States Attorney assigned to the District of Guam and the Northern Mariana Islands. I have worked in the Northern Mariana branch office for approximately one year, and one month.
2. That I am the prosecutor assigned in the above-captioned case.
3. That the office computer network malfunctioned yesterday, on June 19, 2008, and has yet to be restored. I spoke with the office technician today; he informed me that he

1 could not determine how soon the problem could be fixed.

2 4. That I have diligently sought to locate key witnesses who are currently on the U.S.  
3 mainland, or in Hawaii, and who will not return to the Northern Mariana Islands until  
4 the week of July 7, 2008. That I was unaware that said witnesses would be unavailable  
5 during the week of June 30, 2008, when I stipulated to re-schedule the trial from June  
6 23, 2008.

7 5. That the government will be prepared to move forward with the trial should it be  
8 rescheduled to begin July 7, 2008.

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10 To this I do attest this 20<sup>th</sup> day of June 2008.

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14 ERIC S. O'MALLEY  
Assistant U.S. Attorney  
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